

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
COMMITTEE OF THE WHOLE MEETING**

A G E N D A

FEBRUARY 14, 2007

7:30 PM COURTHOUSE CHAMBERS

ROLL CALL_____

PLEDGE OF ALLEGIANCE_____

PUBLIC COMMENT ON ANY PUBLIC MATTER_____

SECTION I INVITATION FOR BIDS

SEALED BIDS FOR TWO (2) – 1500 GPM PUMPER TRUCKS.
(Communication No. 07-63 being held in Committee of the Whole) Proof of Publication

SECTION II INVITATION FOR BIDS

SEALED BIDS FOR ONE (L) – 100' AERIAL FIRE TRUCK. (Communication
No. 07-63 being held in Committee of the Whole) Proof of publication

SECTION III COMMUNICATION NO. 06-648

Bill Melvin, Civic Center Manager, requesting approval to allow EdTech Federal
Credit Union To place an ATM in the lobby of the Civic Center.

SECTION IV COMMUNICATION NO. 06-731

Stephen D. Hess, Senior Planner, requesting approval of preliminary plat of the
Johnson Creek Minor Subdivision.

SECTION V COMMUNICATION NO. 07-36

Jeff Miller, Director of Fire Services, requesting authorization for Chief Executive
to seek funding on behalf of Butte-Silver Bow Fire Department through Montana
Board of Investments Intercap Loan Program.

SECTION VI**PETITION NO. 07-2**

Patrick Riordan, Butte-Silver Bow SID Administrator, creation of a Special Improvement Lighting District 1027 and requesting Council pass a resolution of intent and schedule a public hearing.

SECTION VII**COMMUNICATION NO. 07-21**

Robert A. Macioroski, Director Butte-Silver Bow Land Office, requesting County Attorney be requested to prepare a resolution and deed for transfer of county-owned property to Steven and Julie Jaksha.

SECTION VIII**COMMUNICATION NO. 07-73**

Karen Byrnes, Director Community Development Department, requesting time on the 1/31/07 agenda to present an update of Butte-Silver Bow's recognition as a Preserve America Community and recent receipt of grant from State Historic Preservation Office.

SECTION IX**COMMUNICATION NO. 07-30**

Rob Macioroski, Director Land Office, requesting approval of sale of property at 241 E. Park Street and authorization for County Attorney to prepare a resolution for sale of this county-owned property.

SECTION X**COMMUNICATION NO. 07-48**

John P. Walsh, Sheriff, regarding confirmation of Benjamin Rauch as a permanent member of the Butte-Silver Bow Law Enforcement Department.

SECTION XI**COMMUNICATION NO. 07-63**

Jeffrey L. Miller, Director of Fire Services, requesting authorization to conduct two bid openings 2/14/07 for a 2007 100' Rear-Mount Aerial Apparatus and (2) 2007 1500 GPM pumper trucks for the Butte-Silver Bow Fire Department.

SECTION XII**COMMUNICATION NO. 07-64**

Paul D. Babb, Chief Executive, requesting concurrence in approval of Thomas Deiter as a probationary entry level fire fighter.

SECTION XIII**COMMUNICATION NO. 07-66**

John C. Van Daveer, Public Works Director, requesting time on 2/21/07 agenda to conduct a proposal opening for Request for Qualifications for Energy Performance and Operations Optimization Services.

SECTION XIV**COMMUNICATION NO. 07-67**

Rob A. Macioroski, Land Records Director, regarding request to donate property to Butte-Silver Bow and direct the County Attorney to prepare the resolution and deed for transfer of property to Butte-Silver Bow.

SECTION XV**COMMUNICATION NO. 07-69**

Rob Macioroski and Patsy Coates, Land Office, requesting time on the 3/7/07 Agenda to conduct a bid opening for Title and Lien Search for the 2007 Tax Deed Process.

SECTION XVI**COMMUNICATION NO. 07-73**

John C. Van Daveer, requesting time on 2/21/07 agenda to conduct a bid opening in response to the Butte-Silver Bow Invitation for Bid for Asphalt.

SECTION XVII**COMMUNICATION NO. 07-74**

John C. Van Daveer, requesting time on the 2/21/07 agenda to conduct a bid opening in response to the Butte-Silver Bow invitation for bid for 2007 hot asphalt and sanding machine.

SECTION XVIII**COMMUNICATION NO. 07-85**

Jean Pentecost, Operations Manager, requesting time on 2/21/07 to conduct a bid opening for Water Main Renewal.

SECTION XIX**COMMUNICATION NO. 07-86**

Charlie O'Leary, Commissioner District 5, requesting council viewpoint on the possibility of contracting with Russ Reid Company for help in securing federal funding for unfunded infrastructure problems in Butte-Silver Bow.

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SECTION X**COMMUNICATION NO. 07-82**

Jeffrey L. Miller, Director of Fire Services, requesting approval of line item budget transfers]

JUDICIARY COMMITTEE MEETING
7 PM COURTHOUSE COUNCIL CHAMBERS

COMMUNICATION NO. 06-69

Charlie O’Leary, Commissioner District 5, requesting creation of an ordinance to be located in Section 6 of the Butte-Silver Bow Municipal Code Book – Animals.

COMMUNICATION NO. 06-531

Andrew Wilson, requesting noise abatement regulations be enforced in his neighborhood.

COMMUNICATION NO. 06-673

Mark and Shirley Rule, requesting proposal to enter into 5-year lease and one 5-year renewable term of Rose and Shamrock Mining Claim #2829, Lot 599 on Moulton Reservoir Road.

COUNCIL BILL NO. 05-11
ORDINANCE NO. 05-11

AN ORDINANCE CREATING A NEW CHAPTER WITHIN THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) TO BE ENTITLED "SECONDHAND GOODS" TO BE NUMBERED CHAPTER 5.66, B-SB MC; ESTABLISHING REGULATIONS FOR ALL SECONDHAND DEALERS INCLUDING SECONDHAND STORES, PAWNBROKERS, COIN DEALERS, AND DEALERS IN PRECIOUS AND SEMI-PRECIOUS METALS OR STONES; ESTABLISHING REPORT REQUIREMENTS; SETTING LICENSING FEES; ESTABLISHING PENALTIES FOR VIOLATION; REPEALING CHAPTERS 5.36 AND 5.44, B-SB MC AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL BILL NO. 06-12
ORDINANCE NO. 06-12

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCE NO. 239 AND CHAPTER 2.64 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “HISTORIC PRESERVATION COMMISSION”; REPEALING CHAPTER 17.33 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “H HISTORIC OVERLAY ZONE”; PROVIDING FOR THE PRESERVATION, PROTECTION, AND PROMOTION OF HISTORIC PROPERTIES, APPOINTMENT ND QUALIFICATION OF MEMBER, DUTIES AND RESPONSIBILITIES OF THE HISTORIC PRESERVATION COMMISSION; APPOINTMENT AND

DUTIES OF THE LOCAL HISTORIC PRESERVATION OFFICER; CREATION OF A LOCAL REGISTER AND ITS DESIGNATION AND PROCEDURES; CREATION AND ADMINISTRATION OF DESIGN REVIEW PROTECTION FOR LOCAL REGISTER PROPERTIES; CREATION AND REVIEW OF LOCAL PRESERVATION INCENTIVES; DEVELOPMENT AND PUBLICATION OF HISTORIC PRESERVATION GUIDELINES; REVIEW AND AUTHORIZATION OF DEMOLITION PERMITS ON HISTORIC PROPERTIES; CREATION OF DEMOLITION BY NEGLECT PROCEDURES ON HISTORIC PROPERTIES; ENFORCEMENT OF THIS ORDINANCE; REPEALING BUTTE-SILVER BOW ORDINANCE NO. 238 IN ITS ENTIRETY AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VI

**COUNCIL BILL NO. 07.1
ORDINANCE NO. 07-1**

AN ORDINANCE AMENDING SUBSECTION 9.01 OF SECTION 4 OF BUTTE-SILVER BOW ORDINANCE NO. 204 AND SECTION 10.32.010(i) OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “STOP SIGNS”; PROVIDING THAT TRAFFIC PROCEEDING ALONG IDAHO STREET SHALL STOP BEFORE ENTERING THE INTERSECTION OF IDAHO STREET AND JOSETTE AVENUE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VII

**COUNCIL BILL NO. 07-2
ORDINANCE NO. 07-2**

AN ORDINANCE AMENDING CHAPTER 10.48 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “MISCELLANEOUS DRIVING RULES”; ADDING A NEW SECTION ENTITLED “DRIVING WITHOUT MOTOR VEHICLE INSURANCE PROHIBITED” TO BE NUMBERED SECTION 10.48.165; PROVIDING FOR A SURCHARGE AS SET FORTH IN SECTION 10.96.010 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VIII

COUNCIL RESOLUTION NO. 06-119

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE JOHNSON CREEK MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND FINDING THE NECESSARY FACTS HEREIN.

SECTION IX**COUNCIL RESOLUTION NO. 07-05**

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE RML MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION X**COUNCIL RESOLUTION NO. 07-06**

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE KELLEY MINOR SUBDIVISION – SUMMARY REVIEW OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION XI**COUNCIL RESOLUTION NO. 07-08**

A RESOLUTION ACCEPTING THE DONATION OF LOT 5 IN BLOCK 9 OF THE PLYMOUTH ADDITION AND LOT 11 OF THE SILVER JOE AND CARRIE LODE LOCATED IN SECTION 13, TOWNSHIP 3 NORTH, RANGE 8 WEST, P.M.M. TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**PUBLIC WORKS COMMITTEE MEETING
6:30 PM COURTHOUSE COUNCIL CHAMBERS**

COMMUNICATION NO. 05-66

Charlie O'Leary, Commissioner District 6, requesting speed limits and urban highway designations on a portion of Western Boulevard and also Meadowlark.

COMMUNICATION NO. 05-522

Charlie O’Leary, Commissioner District 5, requesting signs, guardrails, et., in the area of Meadowview Drive and the street leading into the Homestake Meadows Subdivision.

COMMUNICATION NO. 05-642

Paul Babb, Chief Executive, requesting time on 11/9/05 agenda for presentation on Sunset Memorial Cemetery by Danette Gleason, Assistant Finance and Budget Director, Mollie Maffei, Deputy County Attorney and Pat Burt, Newland Company.

PETITION 06-9

John Harrington, Building Official, requesting on behalf of Charles and Roxanna Bulen, Sportsman Motel and RV to close and vacate a portion of 5th Street in Melrose between Blocks 8 and 10, Melrose Townsite.

COMMUNICATION NO. 06-146

Joseph E. Lee, Commissioner District #2, requesting a traffic study/intersection of Amherst and Farragut.

COMMUNICATION NO. 06-533

Patrick Kearney, requesting Four Way stop be placed at the corner of George and Garfield.

COMMUNICATION NO. 06-659

Mike Sheehy, Commissioner District 10, regarding paving of Hill Top Apartments Driveway.

SECTION VIII**COMMUNICATION NO. 06-661**

Jon Sesso, Planning Director, requesting council prioritize road improvement project – intersection of Beef Trail Road and Little Basin Creek Road.

SECTION IX**COMMUNICATION NO. 06-701**

Marko Lucich, Executive Director for Chamber of Commerce, requesting time on the Public Works agenda to make a presentation on the progress on the Green Belt Conceptual Plan (Berkeley Pit Viewing Stand).

SECTION X**PETITION NO. 07-1**

John Harrington, Building Official, requesting on behalf of Steve and Sharon Wilson to close and vacate a portion of Henry Street.